IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):

Alexander Barr et al

GROUP ART UNIT: 2823

APPLN, NO.:

10/780.143

EXAMINER: William D. Coleman

FILED:

February 17, 2004

February 17, 200

SEMICONDUCTOR STRUCTURE HAVING STRAINED SEMICONDUCTOR AND

METHOD THEREFOR

Certificate of Submission

I hereby certify that this correspondence is being submitted to the U.S.P.T.O., Alexandria, VA.

 Addressed per C.F.R.§ 1.1(a) and deposited with the United States Postal Service with sufficient postage as first class mail.

Facsimile transmitted in accordance with C.F.R.§1.6(d).

Submitted electronically via EFS in accordance with "Legal Framework for EFS Web".

S-16-06

Date of Submission

Stacie Herrera

Printed Name of Person Signing Certificate

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

In accordance with 37 CFR 1.191, applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 503079, Freescale Semiconductor, Inc. This Notice is submitted in duplicate.

Respectfully submitted, Alexander Barr et al

FREESCALE SEMICONDUCTOR, INC.

Customer Number: 23125

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